

*William Penn's Plan
for a
League of Nations*

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William Penn's Plan for a League of Nations

*“An Essay towards the Present
and Future Peace of Europe,
by the Establishment of an
European Dyet, Parliament,
or Estates.”*

BEATI PACIFICI CEDANT ARMA TOGAE

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Abridged, Edited and Annotated

BY

WILLIAM I. HULL

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PENN'S famous Essay begins with the following modest apology:

“TO THE READER:

I have undertaken a Subject that I am very sensible requires one of more Sufficiency than I am Master of to treat it, as in Truth, it deserves, and the growing State of Europe calls for; but since Bunglers may Stumble upon the Game, as well as Masters, though it belongs to the Skilful to hunt and catch it, I hope this Essay will not be charged upon me for a Fault, if it appear to be neither Chimerical nor Injurious, and may provoke abler Pens to improve and perform the Design with better Judgment and Success. I will say no more in Excuse of myself, for this Undertaking, but that it is the Fruit of my solicitous Thoughts, for the Peace of Europe, and they must want Charity as much as the World needs Quiet, to be offended with me for so Pacifick a Proposal. Let them censure my Management, so they prosecute the Advantage of the Design; for, till the Millenary Doctrine be accomplished, there is nothing appears to me so beneficial and Expedient to the Peace and Happiness of this Quarter of the World.”

The plan thus quaintly launched two centuries and a quarter ago has never been lost sight of by the thinkers and seers of successive generations. It has formed one of those stepping-stones across the centuries, like the prophecies and plans of Isaiah and Micah, Henry IV and Emeric Crucé, upon which the minds of men have strode onward toward the establishment, on solid ground, of a just and peaceful settlement of disputes between and among nations. One century after its publication the American Union began its experiment in federal government, judicial settlement, and the limitation of armaments. At the end of another century, the Hague Conferences began a similar experiment; and to-day the nations have met in the great conference at Paris, to enter upon the great task of establishing a League of Nations, with the beneficent functions of judicial settlement, limitation of armaments, and an officially organized international co-operation in some vitally important spheres of human endeavor.

Under these circumstances of historic interest and present crisis, it appears appropriate to issue another edition of Penn's famous Essay, this time abridged, modernized, and supplied with notes applying its proposals to the concrete problems of our time. It is the fervent hope of the editor of this edition, and of those who have sponsored its publication, that it may serve, even though in slight and modest measure, to clarify the problems which confront the world to-day, and to secure for their solution the application of those eternal principles of right and justice which inspired the soul of the Quaker author and statesman.

The Essay is divided into ten "Sections" and a "Conclusion"; the topics discussed in these sections may be classified as follows: I. The Evils of War, and the Benefits of Peace (Section I); II. The Causes of War, and Justice as the Means of its Prevention (Sections II, V, VI); III. The Origin of Government, and Justice as its Function (Section III); IV. The League of Nations (Sections IV, VII, VIII); V. Objections to the League of Nations (Section IX); VI. Benefits of the League of Nations (Section X); VII. The Argument from Experience and Reason (Conclusion).

I. THE EVILS OF WAR, AND THE BENEFITS OF PEACE

The terrible mortality and the heavy economic burdens of the present war¹ illustrate the inevitable evils of war. Peace, on the contrary, insures the possession of property, foreign commerce, domestic industry, philanthropy, and public and private tranquillity. War, like the frost of 1683, seizes all these comforts at once, and stops the civil channel of society. What the peace gave, the war devours.

II. THE CAUSES OF WAR, AND JUSTICE AS THE MEANS OF ITS PREVENTION

Most wars are due to wrongs received or to rights refused. Hence *Justice* is the best means of preventing wars, both at home and abroad.

Wars of aggression are due to ambition and the pride of conquest; but such wars are relatively few in history. As *Leviathans* appear rarely in the world; considering how few there are of those *Sons of Prey*, and how early [seldom?] they show themselves,—it may be not once in an Age or two: the League of Nations, when established, will prove an impassable limit to their ambition.

Wars of defense and offense are for the purpose of keeping or recovering national rights. These rights can best be defined, and defended or bestowed, by the League of Nations. For each nation to be judge and executioner in its own cause means injustice and war.²

III. THE ORIGIN OF GOVERNMENT, AND JUSTICE AS ITS FUNCTION

Governments arose when men, desirous of peace and justice, formed a political society and imposed obligations upon themselves, thereby surrendering their right of acting as judge in their own cause and as avenger of their own wrong.

The most natural and human government is that which governs by *consent*; for that binds freely, as when men hold their liberty by true obedience to rules of their own making.³

The end of government is the prevention or cure of disorder; hence it is the means of justice, as justice is of peace.⁴

IV. THE LEAGUE OF NATIONS

1. *A Society of Nations and International Government*

The sovereign princes of Europe, if they truly love peace and justice, should follow the precedent of peace-loving men and form a Society of Nations. This society should then impose obligations upon itself and its members by means of an international government.⁵

2. *The International Parliament*

The rules of justice to be observed by the sovereign princes one to another are to be established by deputies in a *General Dyet, Estates, or Parliament*, to be called *The Sovereign or Imperial Dyet, Parliament, or State, of Europe*.⁶

a. Representation

The number of deputies appointed by each sovereign shall be proportional to "the yearly value of the sovereign countries." This yearly value should be based on the revenue of lands, the exports and imports, the records of taxes and assessments compiled in each country.

As a crude and tentative plan, the following table of representation is suggested:

The Empire of Germany [The Holy Roman Empire]	12	delegates
France	10	"
Spain	10	"
Italy ("which comes to France")	8	"
England	6	"
Portugal	3	"
Sweden ("Sweedland")	4	"
Denmark	3	"
Poland	4	"
Venice	3	"
The Seven Provinces [Holland].....	4	"
The Thirteen Cantons and "little Neighbouring Sovereignities" [Switzerland]	2	"
Dukedoms of Holstein and Courland	1	"
Turkey	10	"
Muscovites [Russia]	10	"
Total, 15 Sovereignities	90	delegates

Such an assembly would constitute a great presence, since it represents a fourth, and now the best and wealthiest part of the known world, where religion and learning, civility and arts have their seat and empire.⁷

b. The Vote

The *vote* in the parliament, like the number of delegates, would allow for the inequality of states.⁸ But the votes assigned to any sovereignty may be cast by one delegate, as well as by ten or twelve. Hence it would not be necessary to maintain a full

representation; although the fuller the assembly of states is, the more solemn, effectual, and free the debates will be, and the resolutions must needs come with greater authority.

Nothing in this Imperial Parliament should pass, but "by three quarters of the whole, at least seven above the balance."⁹ This would help to prevent treachery; because if money could ever be a temptation in such a court, it would cost a great deal of money to weigh down the wrong scale.

If any difference can arise among those delegates who represent the same sovereignty, then one of the majority should cast all the votes assigned to that sovereignty.¹⁰

The continuous representation of every sovereignty should be secured under heavy penalties, and no delegation should withdraw from the sessions without permission, until all the business is finished.¹¹

c. Minor Regulations

The parliament should meet yearly, or once in two or three years at farthest, or as occasion demands.¹²

The meeting-place of the parliament, for its first session, should be as central as possible; the subsequent place or places should be agreed upon by the parliament itself.¹³

The language used should be Latin or French; the former would suit civilians, the latter would be easier for men of quality.¹⁴

To avoid quarrel for precedency, the assembly hall may be round, and have numerous doors for entrance and exit. The delegates could be divided into groups of ten, and each group could select one of its members to preside over the assembly in turn.¹⁵

All speeches should be addressed to the presiding officer, who should state the question for debate and vote.¹⁶

The vote should be taken by ballot, after the prudent and commendable method of the Venetians. This would prevent, in great degree, the ill effects of corruption; because if any of the delegates of that high and mighty estates could be so vile, false and dishonorable as to be influenced by money, they have the advantage of taking money from those that will give it, and then of voting undiscovered to the interest of their principals and

according to their own inclinations: A shrewd stratagem, and an experimental remedy against corruption, at least against *corrupting*; for who will give their money where they may so easily be cozened, and where it is two to one they will be cheated, since they that will take money in such cases, will not stick to lie heartily to them that give it, rather than wrong their country, when they know their lie cannot be detected.¹⁷

Freedom of speech and rules regulating its parliamentary usage should be fully entrusted to the delegates, who will be chosen by each sovereignty from the wisest and noblest of its own citizens, for the sake of its own honor and safety.¹⁸

Neutralities in debates should by no means be endured; for any such latitude would quickly open a way to unfair proceedings, and be followed by a train both of seen and unseen inconveniences.¹⁹

Each group of ten delegates should appoint a clerk, and these clerks should attend every session of the parliament and keep a journal of the proceedings. At the end of each session, one member of each group of ten should be appointed to examine and compare the journals kept by the clerks, and lock them up in a trunk or chest, for which there should be as many different locks and keys as there are groups of ten.²⁰

Each sovereignty may demand a copy of the memorials presented to the parliament, and a copy of the journal of proceedings.

3. The International Court and Councils of Conciliation

All differences pending between one sovereignty and another, which cannot be made up by "private embassies,"²¹ should be brought before the international parliament, before a session begins.²² All complaints should be delivered in writing, in the form of memorials.

4. The International Sanction

If any of the sovereignties that constitute the Imperial Diet shall refuse to submit their claim or pretensions to it, or to abide and perform the judgment thereof, and seek their remedy by arms, or delay their compliance beyond the time prescribed in

the decision, all the other sovereignties, united as one strength, shall compel the submission and performance of the sentence, with damages to the suffering party, and charges to the sovereignties that obliged their submission.²³

No sovereignty in Europe would have the power, and therefore could not show the will to dispute the conclusion. The strongest and richest sovereignty is not stronger and richer than all the rest.²⁴

5. *The Reduction and Limitation of Armaments*

With judicial settlement established, no sovereignty would have more occasion for war than any other. Nor is it to be thought that any one will keep up such an army, after the league is on foot, as would hazard the safety of the others. However, if it be found needful, the question may be asked, by order of the Sovereign States, why such an one either raises or keeps up a formidable body of troops, and he be obliged forthwith to reduce them: lest any one, by keeping up a great body of troops, should surprize a neighbor. But only a small force in every other sovereignty, such as it is capable or accustomed to maintain, will certainly prevent that danger and vanquish any such fear.²⁵

V. OBJECTIONS TO THE LEAGUE OF NATIONS

First, it is objected that bribery will take the place of force. But bribery is as easy, or easier, now as it would be within a league. The national delegates would naturally be men of sense, honor and substance; they would watch each other, and one be a check upon another; and they would be prudently limited by their respective governments, to which, in all important questions, they would be obliged to refer for specific instructions.

Second, the trade of soldiery would suffer from disuse, and this would cause effeminacy. But a truly civilized state requires its men to be men, and neither women nor lions. Each state may introduce among its citizens as temperate or as severe a discipline as it pleases, in order to save them from both extremes. Plain living, proper labor, education in mechanics, physical science and politics, would fit a youth to become useful in the public

service at home or abroad, or at least make of him a good commonwealth's man, useful in public or in private life as occasion may require.

Third, the younger sons of good families would be unable to find employment as officers and, if poor, would be obliged to become common soldiers or thieves. But if the training mentioned in reply to the second objection be given, we shall have the more merchants and husbandmen, or ingenious naturalists.

Fourth, sovereign princes and states would lose their sovereignty, and to this they would never consent.²⁶ But this also is a mistake; for they would remain as sovereign at home as ever they were: neither their power over their people, nor the usual revenue they receive would be diminished. The sovereignties would remain as they are, in relation to one another, for none of them would have any sovereignty over another. Their war establishments would be reduced, or better employed to the public advantage. And if this be called a lessening of their power, it must be only because the great fish can no longer eat up the little ones; for each sovereignty would be equally defended from injuries and disabled from committing them. *Cedant arma togae* is a glorious sentence.

VI. BENEFITS OF THE LEAGUE OF NATIONS

First: Let it not be considered the least benefit that the league would prevent the spilling of so much human blood: for a thing so offensive to God, and terrible and afflicting to men, must recommend our expedient beyond all objections. Although the chief men in government positions are seldom personally exposed in war, yet it is a duty incumbent upon them to be tender of the lives of their people; since, without all doubt, they are accountable to God for the blood that is spilt in their service. Besides the loss of so many lives, of importance to any nation both for labor and propagation, the cries of so many widows, parents and fatherless, would be prevented.

Second, by means of this peaceable expedient the reputation of Christianity would in some degree be recovered. Christians have warred with non-Christians, and with other Christians; the same kinds of Christians have fought with one another:

at the same time, invoking and interesting, all they could, the good and merciful God to prosper their arms to their brethren's destruction. Yet their Savior has told them that he came to save and not to destroy the lives of men, to give and plant peace among men; and if in any sense he may be said to send war, it is the Holy War indeed, for it is against the Devil, and not against the persons of men. Here is a wide field for service on the part of the reverend clergy of Europe, who have so much the possession of princes and people too. May they recommend and labor this pacific means I offer, which will end bloodshed, if not strife; and then reason, founded upon free debate, and not the sword, will be judge, and both justice and peace will result.

Third: Money would be saved both to governments and people, and popular discontent which follows the devouring expenses of war would be prevented. Both governments and people would be enabled to expend larger sums upon learning, charity, industry, and other things which are the virtue of governments and the ornaments of nations.

Fourth: Towns, cities and countries laid waste by war would be preserved. What this would mean, let Flanders, Hungary, and the borders of England and Scotland answer!

Fifth: It would make easy and secure both travel and trade, which has never been fully realized since the Roman Empire was broken into so many sovereignties. A passport issued by any member of the league would be honored by all the other states, and it could be used in peace as it cannot be in war. This would lead to the benefit of a world-monarchy, without the disadvantages that attend it: to the peace and security which alone could render a universal monarchy desirable.

Sixth: It would secure Christian Europe against the inroads of the Turks. For it would have been impossible for the Porte to have prevailed so often and so far upon Christendom, except for the indifference or wilful connivance, if not aid, of some Christian princes. For the same reason that no Christian monarch would venture to oppose or break such a league, the Sultan will find himself obliged to concur,—if he desires to secure that which he holds in Europe; for, with all his strength, he would feel the league an over-match for him.

Seventh: The league would beget and increase personal friendship between governments and peoples, which would itself tend to prevent war and to plant peace in a deep and fruitful soil. The tranquillity of the world would be greatly promoted if rulers could freely converse face to face and personally and reciprocally give and receive marks of civility and kindness. International emulation would then consist in such things as goodness, laws, customs, learning, arts, buildings, and particularly those that relate to charity.²⁷

VII. THE ARGUMENT FROM EXPERIENCE AND REASON

Sir William Temple's "Account of the United Provinces" supplies an experimental illustration of this plan for a league of nations, and an experiment which not only answers all the objections advanced against the practicability of the league, but which also overcomes greater difficulties than the league would encounter. For, in the States General of the Netherlands, there are represented *three* degrees of sovereignty, namely, that of the States General itself, that of the Provinces, and that of the various cities.²⁸

A plan for a political balance of Europe, somewhat similar to the above in design and preparation, was due to the wisdom, justice and valor of Henry the Fourth, of France, whose superior qualities, raising his character above those of his ancestors or contemporaries, deservedly gave him the title of Henry the Great.

I will not fear, then, to be censured for proposing an Expedient for the Present and Future Peace of Europe, since it was not only the design, but the glory, of one of the greatest of European princes, and is found practicable in the constitution of one of Europe's wisest and most powerful states. This great king's example tells us it is fit to be done; Sir William Temple's "History" shows us, by a surpassing instance, that it may be done; and Europe, by her incomparable miseries, makes it now necessary to be done. So that, to conclude, I have very little to answer for in all this affair; my share is only in thinking of it at this juncture, and in putting it into the common light for the peace and prosperity of Europe.²⁹

Notes for Penn's "Essay towards the Present and Future Peace of Europe"

NOTE 1, PAGE 6. The war whose horrors caused Penn to propose his plan for the avoidance of future wars, was fought during the years 1688 to 1697, between France on one side and England, Holland, Austria and Spain on the other. It was the third of Louis XIV's "Wars of Aggression," in which his "o'er-vaulting ambition" attempted to substitute the Bourbon for the Habsburg domination of Western Europe. Like most wars, it was marked by massacre, plunder and rapine, pestilence and famine, and it was notorious especially for the terrible ravaging of the Rhine Palatinate, the "Belgium" of that time. Louis XIV, like Napoleon and Wilhelm, failed in his imperial ambitions, and, like them, he paved the way for the overthrow of autocratic rule at home, and for attempts so to organize the world at large that there should be no further appeal to the God of Battles.

NOTE 2, PAGE 7. The Twentieth Century, like the Seventeenth, is still confronted by the problem of wars of aggression and defense. Like Penn in his time, we are seeking a means of curbing the aggressive ambitions of a would-be world-despot, and of defending the rights of nations. Like Penn, we believe that a League of Nations will prove an impassable limit to imperialist ambitions, and an impartial judge and defender of the rights of nations, small or large, backward or advanced.

NOTE 3, PAGE 7. Penn's belief in democracy,—in the consent of the governed as the only proper source and sanction of government,—is briefly stated here in words. A dozen years before, he had embodied democracy in the constitutions which he granted to the Quaker settlers in New Jersey and Pennsylvania; and, like Immanuel Kant a century later, he evidently believed that the only sure foundation of an international, as well as of a national, government is a league of self-governing democracies, whose peoples make their will known and obeyed by their official representatives and servants. Hence Penn, like the leading statesmen of our own time, was dedicated to the task of making the world truly "safe for democracy" in this higher and better sense of the phrase than is implied in the mere check or punishment of military autocracy.

NOTE 4, PAGE 7. Penn's logical sequence here is identical with ours of this Twentieth Century: Peace is procured and sustained by justice; justice is the object and result of government. Hence, to secure international peace, we must achieve international justice; and to secure international justice we must create an international government.

NOTE 5, PAGE 7. The Society of Nations is now no longer a dream, or an academic theory, as it was to so large an extent in Penn's time. Less than a half-century before his Essay was written, the Peace of Westphalia had recognized dimly the existence of a "family" of nations in Western Europe. The Hague Conferences of 1899 and 1907 recognized that the sovereign nations of both the Old World and the New were, and of right ought to be, members of the "family"; and they began the task of developing the "family" into a genuine society by creating for it organs and functions of government.

NOTE 6, PAGE 7. Penn's ideal of an international parliament was realized in part by the two International Peace Conferences held at The Hague in 1899 and 1907. These conferences began the task of enacting codes of law for the regulation of international relations in time of war and in time of peace. Their sessions and their work were interrupted by the outbreak of the Great War, in 1914; but there is now good prospect that their sessions will be resumed and that they will continue the great and necessary task that Penn proposed for them, namely, the establishment of rules of justice to be observed by sovereign peoples in their relations with one another and with the rest of the world.

NOTE 7, PAGE 8. We have expanded Penn's plan for a "parliament of Europe" into one which shall include the sovereign peoples of all the world. The first Hague Conference of 1899 included the official representatives of twenty-six states, including two in the New World; the second Hague Conference of 1907 included those of forty-five states, only one of the twenty-one American Republics failing to be represented. Penn, himself the founder of an American commonwealth, could not foresee

the marvelous development of colonization and self-government which the next two centuries were to bring forth, and he would have been amazed indeed to see the procession of national delegates from nine-tenths, instead of one-fourth, "of the known world," as it entered the Hall of the Knights in The Hague a dozen years ago. Our own eyes are hardly accustomed to the sight of representatives from nearly a score of new nationalities taking their place at Paris beside those from their older sisters.

What a change, too, has been wrought by the flight of time in the map of Europe, and in the ranking of its nations! England, sixth on Penn's list, now leads them all; while beside her stands her giant daughter of the West, whose cradle Penn's own hand was rocking. France, purged of her imperialistic aggressiveness and wedded to democracy, has far outstripped her three rivals of that time (Spain, Turkey and Russia); while the Habsburgs and the Hohenzollerns, like the Romanoffs and the Bourbons, have fallen into innocuous desuetude.

NOTE 8, PAGE 8. The Hague Conferences adopted the precedent of most diplomatic bodies and gave to each national delegation,—regardless of the nation's size or importance and of the number of its delegates,—only one vote. Penn proposed that the inequality of states should be allowed for, and draws up a rough table of votes to be assigned to each of his fifteen states.

His table is based on an estimate of national wealth, which was far more readily ascertained in his time, before the taking of national censuses began, than was population. If proportional representation is to be applied to the international parliament, population will be one of the chief factors recognized, but national wealth and other factors will doubtless be taken into consideration.

The American Confederation of 1781 to 1789 adopted the diplomatic precedent of "one state, one vote," and the Constitutional Convention of 1787 which formed the American Union nearly went to pieces upon the rock of "equality versus proportional representation." Happily a compromise (the so-called "Connecticut Compromise") was adopted, by means of which each state secured equality of representation in the Senate and proportional representation in the House of Representatives. It may well be that the future international parliament will develop, by virtue of some "International Connecticut Compromise," into a

two-chambered legislature in which both equality and proportional representation may be recognized.

NOTE 9, PAGE 9. It is of interest to note that Penn's plan of a three-fourths vote was adopted by the American Union for the ratification of amendments to the Constitution. Unanimity was the rule adopted by the Two Hague Conferences; but this caused the failure of progressive measures which received the vote of a large majority of the delegations, and it is possible that a three-fourths vote will be coupled with the proportional representation of the future.

NOTE 10, PAGE 9. The American Confederation adopted this plan, which is the ordinary plan of diplomatic bodies, of deciding the vote of a nation's delegation by taking a majority vote of its members. In questions of importance, of course, national delegations receive explicit and binding instructions from their home-governments as to what their vote shall be. The American Union adopted the vote *par tête*, in both the Senate and the House of Representatives; and if the international parliament should develop some time in the future a representation of peoples rather than of governments, it will doubtless adopt the precedent of the American Congress and of most other genuinely legislative assemblies and give each member one vote.

NOTE 11, PAGE 9. The difficulties experienced by national legislative bodies, in their infancy, in securing the regular and continuous attendance of their members, probably caused Penn to insert this detail. The magnitude of the stakes involved in international conferences in our own time, however, causes all states, large and small, to knock imperatively or pleadingly at their doors; hence there is but small probability that the penalties suggested by Penn would ever be found necessary.

NOTE 12, PAGE 9. The second Hague Conference met eight years after its predecessor, and it was planned to hold the third conference at about the same interval of time. National legislatures, however, have found it necessary and desirable for many reasons to hold annual sessions; and the large and pressing tasks of the League of Nations will doubtless require the more frequent meeting of its legislative body than once in eight years. Penn's proviso that no more than three years should elapse be-

tween its sessions is a wise one, both for the sake of its own prestige and for the welfare of the world.

NOTE 13, PAGE 9. The selection of The Hague as the meeting-place of the great conferences of 1899 and 1907 proved to be fortunate for many reasons. Beautiful, healthful, commodious, readily accessible from land and sea, centrally located, the capital of a small power, inhabited by a people famous for their skill in foreign tongues, with an inspiring history in international affairs, strongly patriotic, yet thoroughly awake to the need of international organization and co-operation, and with the precedent of 1899 and 1907 in its favor,—these and other reasons support the claims of The Hague to continue as “the world-capital,” “the District of Columbia of the Nations.”

NOTE 14, PAGE 9. French has entirely replaced Latin, since Penn’s time, as the language of diplomacy; but recent events and future developments may cause English to become, first the alternative, and finally the successor, of French as the language of international usage.

NOTE 15, PAGE 9. Democracy and the nobility of service have taken so strong a hold upon the minds of men and nations in our time, as to minimize considerations of precedence and to make the plans of Penn for observing them seem quaint and needless.

NOTE 16, PAGE 9. It is characteristic of an English statesman that he should provide specifically for the observance of parliamentary usage in the conduct of debates. How necessary such a provision may be, even in our own time, is illustrated by the experiences of those who organized the first Hague Conference in 1899.

NOTE 17, PAGE 10. The secret ballot, which was a novelty of so much interest to Penn, has become a commonplace with us; but although the vote in the international parliament should some time be taken by individual members instead of by national delegations, it would even then be necessary, according to our modern ideas, to have the full light of publicity beat upon the vote as well as upon the debate preceding it. Open diplomacy and democratic control are now struggling superbly into existence.

NOTE 18, PAGE 10. Penn’s own liberal mindedness and the lessons taught by England’s Seventeenth Century political struggles are both reflected in the provision for freedom of speech. As a parliamentary privilege, it is of inestimable value; but transcending even this, is its value as a bulwark of popular right. The chief danger to it will come, not so much from fear or intimidation from an outside force, as in the old struggle between parliament and crown, but from undue control exerted by national forces upon individual delegates. Penn may have hinted at this danger, when he suggests that each sovereignty, for the sake of its own honor and safety, will choose its delegates from among the wisest and noblest of its citizens.

NOTE 19, PAGE 10. Penn’s objection to “neutralities” in debates is rather vague; but the “train both of seen and unseen inconveniences,” at which he hints, has been illustrated to some extent by the two Hague Conferences, in which a few vastly important projects were neither debated nor voted upon by a large proportion of the delegations present. The same problem has arisen in national legislative bodies, and has usually been solved, as in the American House of Representatives, by permitting the speaker to count as present even those members who abstain from voting, and then to declare the vote on the majority of those who did vote. It will doubtless be a long time before the international parliament could thus count a quorum and declare a vote as binding on those nations whose delegates did not participate in the debate or the vote; but, on the other hand, those issues which are of truly vital and pressing importance will not fail to secure the eager participation of both delegates and governments.

NOTE 20, PAGE 10. The great progress of publicity, the enterprise of modern journalists, and the lavish use of the printing-press, have made the precautions suggested by Penn for securing the authenticity of the parliament’s documents seem crude and unnecessary in our time. But the thought he devoted to this and similar matters gives evidence that he would be an intelligent and enthusiastic promoter of our own struggle against the evils of subterranean and devious diplomacy.

NOTE 21, PAGE 10. Penn’s use of the term, “private embassies,” would appear to indicate his meaning that the ordinary diplomatic channels should be exhausted

before disputes among two or more countries are brought before the international parliament or court. But he had already had successful experience in the operation of boards of arbitration or conciliation which he had established in Pennsylvania for the settlement of differences arising among the English, Dutch, Swedish, and Indian inhabitants of his province, and which had prevented many a dispute from waxing so complicated and bitter that a court-trial, with its expense and excitement, became necessary for their settlement. It is quite possible, therefore, that Penn envisaged, and included among "private embassies," those international councils of conciliation which have already assuaged so many international controversies, without the necessity of submitting them to the international court, and which are being developed by our own international statesmen as a most helpful organ of the league of nations.

NOTE 22, PAGE 10. Penn's plan for an international court, it will be noted, provided that the same assembly should serve as the organ of both legislative and judicial functions. This is in line with the precedent of early times, when the national assembly, or at least one branch of it, like the *boulé* or senate, decided cases as well as passed laws. The British Parliament, too, with its process of impeachment and the appellate jurisdiction vested in the House of Lords, gave Penn a nearer precedent for his proposal. But the first Hague Conference took the great step of confiding its germ of international jurisdiction to a body separate from the conference itself. The precedent of the United States, as of most modern governments, was the basis and sanction of the step taken at The Hague. Whether the developed international court, which is to be one of the crowning glories of the new league of nations, will ever follow the American precedent so far as to become, not only separate from, but independent of, and co-ordinate with, the international legislature, and even to become endowed with the faculty of passing upon "the constitutionality" of international legislation, only the future can reveal.

The chief glory of Penn's plan was, of course, the provision, in any form, of judicial settlement for disputes among nations. As opposed to the martial settlement of such disputes,—which proved no adequate settlement of them at all,—this feature of his plan was rightly considered for

generations to be the prophetic one; and although martial settlement has prevailed or persisted ever since, the world has at last seemingly made up its mind that judicial settlement shall become a reality, not in the millennium, but in our own time.

NOTE 23, PAGE 11. The problem of international sanctions is one of the most difficult and debateable of all connected with the establishment of a league of nations. Penn solved it by declaring for the enforcement, not only of the submission of disputes to the court, but also of the court's award or decision itself. His statement of precisely what the international force shall be, leaves much to be desired or understood. It is simply that "all the other sovereignties, united as one strength, shall compel the submission and performance of the sentence."

If this "one strength" refers only to armies and navies, it may mean either that the national armaments shall be pooled for special emergencies, remaining then and afterwards under national control; or that each nation shall contribute armaments to a genuine "international police force," which shall act solely for the purposes, and always under the control, of the league of nations itself. Again, the phrase, "united as one strength," may mean either armies and navies alone; or the varied other forces,—diplomatic, economic, political and moral,—of civilized states; or a combination of them all.

NOTE 24, PAGE 11. Penn's statement, a little later in his "Essay," that "the strongest and richest sovereignty is not stronger and richer than all the rest," would indicate that he included at least the economic sanction with armed force. While his provision that "damages should be awarded to the suffering party, and charges to the sovereignties that obliged their submission," might even imply that he foresaw the possibility of the league of nations placing its hand upon the shoulders of those individuals within a recalcitrant nation who are really responsible for the nation's appeal to arms,—the kings, the kaisers, and their aggressive tools or masters,—and of holding them to strict accountability, rather than resorting to the process of wholesale slaughter or starvation of guiltless individuals, combatant and non-combatant alike.

But Penn's words in regard to this difficult and complicated problem are so few and meagre that it is impossible to tell precisely what they mean, and it may be un-

wise even to attempt to conjecture a meaning for them. The acts and fundamental theories of his life are all opposed to war between nations; he advocated, in this "Essay" and elsewhere, and put into practice in his own commonwealth, a rejection of the use of armaments; and there can be no doubt that he would be to-day in entire accord with those statesmen who are striving to eliminate armed force as applied to nations, and to organize for their guidance and control the other and better sanctions of civilized men and the modern society of nations. He would, indeed, have been a foremost leader among them in this great task, if he had shared with them the unprecedented experience of the last two centuries in the successful application to international disputes of concerted diplomacy, economic internationalism, conciliation, mediation, arbitration, judicial process, democracy, public opinion (national and international, enlightened, aroused, organized and concentrated), and a large and growing sense of moral responsibility on the part of individuals and nations.

NOTE 25, PAGE 11. Penn regarded it as an essential factor in the creation and successful operation of a league of nations that the armaments of each nation should be reduced to "only a small force, such as it is capable or accustomed to maintain." The founders of the American Union were also convinced that their experiment in the judicial settlement of disputes among the states would be a failure unless the states themselves surrendered to the federal government the exclusive right of maintaining an army or navy. President Wilson, also, in outlining his plan for the league of nations has declared that "the question of armaments, whether on land or sea, is the most immediately and intensely practical question connected with the future fortunes of nations and mankind"; and the fourth of his famous Fourteen Points provides for "the giving and taking of adequate guarantees that national armaments will be reduced to the lowest point consistent with domestic safety."

Thus the leading American statesmen of colonial, revolutionary, and present-day times have recognized as the *sine qua non* of the league of nations, the reduction and limitation of armaments, so as to prevent the incessant competition in their increase from continuing to be a fruitful cause of jealousy, fear and war, and to prevent a continued reliance upon them as the only effective means of defense and justice from

sterilizing the process of judicial settlement established by the league of nations.

NOTE 26, PAGE 12. The first three objections to a league of nations which Penn answers appear to us very trivial; but they doubtless had a good deal of force in the minds of his contemporaries. The fourth objection, however, is still a cogent one, and all the more prominent and forceful because of the great development in the sentiment and practice of nationality and national unity which has characterized the last two centuries, especially the Nineteenth. Penn's answers to it are still the main arguments of the advocates of a league of nations; and in addition to the appeal which he made to reason, we are enabled to appeal to the argument of a rich experience both in the benefits of federation or co-operation in national and international affairs, and in the evils of international anarchy. Indeed, the necessity of developing some degree of international union and government, stressed for us as it is by both reason and experience, causes us to declare, in the words of that other great Pennsylvanian, Benjamin Franklin, when he was urging the formation of the American Union, that "we must all hang together, or assuredly we shall all hang separately"; or as Penn even more quaintly and incisively put our present problem: the great Fish must be prevented from eating up the little ones.

NOTE 27, PAGE 14. The seven benefits of a league of nations which Penn so clearly expounds are all of them, with one exception, still potent with us. The danger of Turkish conquest or invasions of Europe has passed in our time; but the fears of Europe now are being sharpened by a contemplation of other real or imaginary perils arising on its Eastern borders. That these perils, or the fear of them, can be assuaged also by a league of nations, is our confident belief; and, far more than the mere sense and reality of security afforded by it, would come a mutual knowledge, sympathy and co-operation among all the nations of the earth.

The other benefits mentioned by Penn, namely, the prevention of human slaughter and human misery; the restoration of the prestige of Christianity; the saving of wealth and its wider employment in the promotion of human welfare; the salvation of towns, cities and countries from the devastations of war; the great increase of trade, travel, intercourse, friendship, and emulation in the best things of civilized

life: these have all been written large in letters of blood and fire, many times since the wars which Penn deplored, and on an especially large and terrible scale during the past four years; and they continue to be our chief reliance in the appeal which the league of nations makes to the minds and hearts of men.

NOTE 28, PAGE 14. Could Penn have foreseen the political development of the mighty union of American commonwealths, one of which he founded, he would doubtless have been delighted to include it with the Netherlands, as well as Switzerland, the British Empire, and sundry other lands, to enforce his argument from successful experience in behalf of a league of nations. That he laid stress upon the Netherlands is one illustra-

tion among many of the ways in which the world has been inspired and benefitted by that marvellous little land of liberty, learning, industry, and Hugo Grotius.

NOTE 29, PAGE 14. Penn's graceful allusion to the "Design" of Henry IV, which preceded his own "Essay" by three-quarters of a century, is evidence of his modesty; and the use which he makes of it in appealing to his readers, is proof of his wise diagnosis of the prejudices and motives of his contemporaries.

In conclusion, the whole world of our day will do well indeed to share Penn's devout desire that the plan of a league of nations shall be put into the common light for the promotion of the peace and prosperity of all mankind.

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